

REMARKS

Claims 1, 3-12, 14-18, 20-30 and 32-33 are pending in the present application. Claims 1, 3-12, 14-18, 20-30, 32 and 33 have been examined, claims 10-12, 14, 16 and 17 are rejected, and claims 1, 3-9, 15, 18, 20-30 and 32-33 are allowed. In the above amendments, claims 1, 4-5, 7, 10, 12, 14-18, 21, 24, 27-28, 30 and 33 have been amended, and new claims 34-46 have been added. Therefore, after entry of the above amendments, claims 1, 3-12, 14-18, 20-30 and 32-46 will be pending in this application. Applicant believes that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Allowed Claims 1, 3-9, 15, 18, 20-30 and 32-33

Applicant notes with appreciation the allowance of claims 1, 3-9, 15, 18, 20-30 and 32-33. Allowed independent claims 1, 4, 15, 18, 21, 27 and 33 have been amended to correct antecedent problems and to clarify the claims without changing the scope of these claims.

Rejection of Claims 10-12, 14 and 16-17 Under 35 U.S.C. §103(a)

Claims 10-12, 14 and 16-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jung *et al* (U.S. Patent No. 6,049,716) in view of TIA/EIA-95-B-1999 (hereinafter, TIA/EIA-95B).

Claim 10 of the present application, as amended, recites:

“A mobile station configured to operate in a wireless communication system, comprising:

a processing subsystem configured to set a transmission parameter comprising a frame size in response to detecting that the mobile station is entering or leaving soft handoff; and

a transceiver subsystem configured to transmit data on reverse link in accordance with the frame size.”

Applicant submits that claim 10 is patentable over Jung in view of TIA/EIA-95B for at least the following reason. The combination of Jung and TIA/EIA-95B does not disclose “a processing subsystem configured to set a transmission parameter comprising a frame size in response to detecting that the mobile station is entering or leaving soft handoff; and a transceiver subsystem configured to transmit data on reverse link in accordance with the

frame size,” as recited in claim 10. As noted in the previous response dated 02/27/2007, Jung describes a method for adding and removing base stations in an active set of a mobile station. As also noted in the previous response, the cited section of TIA/EIA-95B (page 7-133, lines 24-32) refers to parameters used to select base stations for soft handoff and for membership in various sets such as active, neighbor, and candidate sets. Jung and the cited section of TIA/EIA-95B thus describe selection of base stations for soft handoff. The rejection appears to concur with this observation and states “it would have been obvious ... to use the transmission parameter comprises a frame size taught by TIA/EIA with Jung teaching in order to reducing the number of soft handoff can lessen the system load and the possibility of handoff in the middle of the target cell it can get an effect of handoff efficiency and raise communication quality.”

Claim 10 is not directed to selecting base stations for soft handoff and is not direct to reducing the number of soft handoff. Rather, claim 10 uses the result of a handoff decision, however made, and sets a transmission parameter comprising a frame size based on this handoff decision. Claim 10 has been amended to further clarify this point and now recites “to transmit data on reverse link in accordance with the frame size.” Applicant submits that neither Jung nor the cited section of TIA/EIA-95B describes (i) setting a frame size in response to detecting that the mobile station is entering or leaving soft handoff and (ii) transmitting data on reverse link in accordance with this frame size, as recited in claim 10.

For at least the above reason, Applicant submits that claim 10 is patentable over Jung in view of TIA/EIA-95B. Claims 11, 12, 14 and 16-17 are dependent on claim 10 and are patentable for at least the reason noted for claim 10.

Accordingly, the §103(a) rejection of claims 10-12, 14 and 16-17 should be withdrawn.

New Claims 34-46

New independent claims 34 and 41 are based on allowed claim 27. New claims 35-40 are dependent on claim 34, and new claims 42-26 are dependent on claim 41. New claims 34-46 should be allowed for the same reason as claim 27.

CONCLUSION

In light of the amendments contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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